

Hal Hardin (Admitted *Pro Hac Vice*)  
Harold Donnelly (Admitted *Pro Hac Vice*)  
211 Union Street, Suite 200  
Nashville, TN 37201  
(615) 369-3377

Jeffrey A. Kimmel (JK 0584)  
**MEISTER SEELIG & FEIN LLP**  
2 Grand Central Tower  
140 East 45<sup>th</sup> Street  
19<sup>th</sup> Floor  
New York, NY 10017  
(212) 655-3500

*Attorneys for Defendant*  
*Bridgestone Industrial Products America, Inc.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
WEEKS MARINE, INC., individually and on behalf of itself and  
all others similarly situated,

Plaintiff

07 CIV 6811 (AKH)  
ECF Case

-against-

BRIDGESTONE CORPORATION; BRIDGESTONE  
INDUSTRIAL PRODUCTS AMERICA, INC., TRELLEBORG  
INDUSTRIE S.S.; DUNLOP OIL & MARINE LTD.; PARKER  
ITR S.L.R.; MANULI RUBBER INDUSTRIES S.P.A.;  
MANULI OIL & MARINE (U.S.A.) INC.; YOKOHOMA  
RUBBER CO., LTD.; PW CONSULTING (OIL AND MARINE)  
LTD.; PETER WHITTLE; DAVID BRAMMER; BRYAN  
ALLISON; JACQUES COGNARD; CHRISTIAN CALECA;  
MISAO HIOKI; FRANCESCO SCAGLIA; and VANNI  
SCODEGGIO,

**BRIDGESTONE  
INDUSTRIAL  
PRODUCTS  
OF AMERICA, INC.  
NOTICE OF MOTION  
TO DISMISS**

Defendants.

-----X  
  
PLEASE TAKE NOTICE that upon the annexed Memorandum of Law submitted  
submitted herewith, and all pleadings and prior proceedings herein, Defendant Bridgestone  
Industrial Products of America, Inc. ("BIPA") will move this Court, before the Honorable Alvin  
K. Hellerstein in the United States District Court for the Southern District of New York, 500

Pearl Street, Courtroom 14D New York, NY 10007, on October 26, 2007 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order granting Defendant BIPA's motion to dismiss the Complaint as against Defendant BIPA pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted and for failure to provide the Defendant BIPA with sufficient notice of the claim against it.

Dated: New York, New York  
September 27, 2007

Respectfully submitted,

**MEISTER SEELIG & FEIN LLP**

s/ Jeffrey A. Kimmel  
Jeffrey A. Kimmel (JK 0584)  
2 Grand Central Tower  
140 East 45<sup>th</sup> Street  
19<sup>th</sup> Floor  
New York, NY 10017  
(212) 655-3500

-AND-

Hal Hardin (Admitted *Pro Hac Vice*)  
Harold Donnelly (Admitted *Pro Hac Vice*)  
211 Union Street, Suite 200  
Nashville, TN 37201  
(615) 369-3377

*Attorneys for Defendant  
Bridgestone Industrial Products America, Inc.*